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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,688	06/27/2000	Mikio Sasaki	1-47	3751

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EXAMINER

PARDO, THUY N

ART UNIT

PAPER NUMBER

2175

DATE MAILED: 08/22/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/605,688

Applicant(s)

SASAKI ET AL.

Examiner

Thuy Pardo

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Applicant's Amendment filed on June 13, 2003 in response to Examiner's Office Action has been reviewed. Claims 3, 5, 16, 18, 20 have been amended and claims 21-23 have been added.

2. Claims 1-23 are presented for examination.

Claim Rejections - 35 USC § 102(e)

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 1, 2, 4-11, 14-20, and 23 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Hoover et al.** (Hereinafter "Hoover") U.S. Patent No. 5,724,575.

As to claim 1, Hoover teaches an information service system including a plurality of user terminals and a center capable of data communication with said user terminals [a plurality of remotely located user computers and an object broker computer, see col. 5, lines 49-51; ab; fig. 1, 6], said center comprising:

database construction means for adding information based on terminal-side information transmitted by said user terminals to an information database [transforms data stored in a plurality of remote, heterogeneous user databases into a homogeneous data model, see the abstract; col. 6, lines 61-64];

retrieval means for retrieving information according to the terminal-side information transmitted by said user terminals based on the information database constructed by said database construction means [col. 6, lines 27-51]; and

distribution means for distributing the information retrieved by said retrieval means as distributed information [col. 6, lines 31-33],

said user terminals comprising:

input means for inputting information from a user [col. 11, lines 45-48; col. 30, lines 51-52];

situation detecting means [inherent in the system in order to detect access privileges of a user, col. 31, lines 10-11] for detecting information on the situation of said user [check access privileges of a user, col. 31, lines 10-11];

terminal-side information generation means for generating said terminal-side information including at least information input with said input means and the situation information detected by said situation detecting means [col. 30, lines 50 to col. 31, lines 14];

storage and transmission means for storing the terminal-side information [col. 6, lines 21-26] generated by said terminal-side information generation means in memory means and for transmitting it to said center [col. 31, lines 11-14]; and

process execution means for executing a predetermined process based on the distributed information distributed by said center [col. 31, lines 15-29].

As to claim 2, Hoover teach the invention substantially as claimed. Hoover further teaches that said retrieval means of said center retrieves according to said request for retrieval using information included in said terminal-side information, when a request for retrieval is included in said terminal-side information; and said process execution means of said user terminal executes a notification process for notifying of the information according to said request distributed by the center as distributed information [col. 31, lines 29-40; col. 35, lines 44-45].

As to claim 4, Hoover teach the invention substantially as claimed. Hoover further teaches that said database construction means adds information obtained by editing said terminal-side information to said information database as information based on said terminal-side information [col. 6, lines 61-64].

As to claim 5, Hoover teach the invention substantially as claimed. Hoover further teaches that said terminal side information comprises information associated with predetermined entries for inferring information relevant to said request for retrieval [col. 6, lines 14-20].

As to claim 6, Hoover teach the invention substantially as claimed. Hoover further teaches that said terminal-side information is stored, transmitted and received in profiles in which

information associated with particular entries among said predetermined entries is described [col. 31, lines 56 to col. 32, lines 13].

As to claim 7, Hoover teach the invention substantially as claimed. Hoover further teaches that said terminal-side information generation means of said user terminal generates said terminal-side information by inferring unknown information associated with entries of said terminal-side information based on past terminal-side information stored in memory means [col. 35, lines 40-60; col. 36, lines 5-18].

As to claim 8, Hoover teach the invention substantially as claimed. Hoover further teaches that said retrieval means of said center retrieves unknown information associated with entries of said transmitted terminal-side information; and said process execution means of said user terminal executes an information update process for adding information which is said unknown information retrieved by said retrieval means and which is distributed by said center as distributed information to terminal-side information stored in said memory means [replace existing data, col. 34, lines 50-64; col. 35, lines 21-30].

As to claim 9, Hoover teach the invention substantially as claimed. Hoover further teaches that said retrieval means of said center selects past terminal-side information stored in said information database which is similar to said transmitted terminal-side information and retrieves

unknown pieces of information in said transmitted terminal-side information based on said selected terminal-side information [col. 35, lines 40-50].

As to claim 10, Hoover teach the invention substantially as claimed. Hoover further teaches that said retrieval means of said center selects past terminal-side information stored in said information database which is similar to said transmitted terminal-side information based on the degree of similarity calculated on the basis of said profiles [col. 13, lines 66 to col. 14, lines 8; col. 14, lines 53-57].

As to claim 11, Hoover teach the invention substantially as claimed. Hoover further teaches that said user terminals further comprising: priority setting means for setting priorities for predetermined entries of said terminal-side information based on information input with said input means [inherent in the system, see case of emergency, fig. 18C]; and query means for prompting a user to input information associated with an entry having a relatively high priority set by said priority setting means when said information does not satisfy predetermined conditions [see fig. 19A-19B].

As to claims 14- 20, and 23, all limitations of these claims are rejected in the analysis above, and these claims are rejected on that basis.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 12, 13, and 21-23 are rejected under 35 U.S.C. § 103 as being unpatentable over **Hoover et al.** (Hereinafter "Hoover") U.S. Patent No. 5,724,575, in view of **Casey et al.** (Hereinafter "Casey") US Patent No. 6,243,745.

As to claim 3, Hoover teaches the invention substantially as claimed. However, Hoover does not explicitly teach that in said terminal-side information that includes data regarding the environment of said user. Casey teaches that in said terminal-side information that includes data regarding the environment of said user [see the abstract; col. 7, lines 33-61]. Therefore, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to have modified Hoover's system for object-based relational distributed databases provided thereof would have incorporated the teachings of Casey especially the environment of users; the motivation being to expand and enhance the versatility of Hoover's system to optimize search operation of finding objects containing the data of interest.

As to claim 12, Hoover and Casey teach the invention substantially as claimed, with the exception that information is a scenery information. However, this feature is well-known in the art and is just a matter of a design choice.

As to claim 13, Hoover and Casey teach the invention substantially as claimed. Casey further teaches that said scenery information is information transmitted by each of said user terminals to said center as image information and edited at said center [col. 5, lines 24-58].

As to claims 21 and 22, all limitations of these claims have been addressed in the analysis above, and these claims are rejected on that basis.

Response to Arguments

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., an environment/situation profile of user) are not recited in claims 1, 14, 15, and 20. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is (703) 305-1091. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

The fax phone number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238	(After Final Communication)
(703) 746-7239	(Official Communication)
(703) 746-7240	(For Status inquiries, draft communication)

and/or:

(703) 746-5616 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to them on occasions*).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

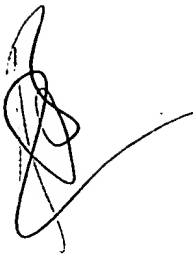
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(703) 308-5359, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).

A handwritten signature in black ink, appearing to be 'Thuy Pardo', with a long, sweeping horizontal line extending to the right.

Thuy Pardo
August 20, 2003